

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
vs.) Plaintiff,) Case No. 2:12-cr-00329-GMN-GWF
DARREN D'AMBROGI,) Defendant.) **ORDER**

This matter is before the Court on the Petition for Action on Conditions of Pretrial Release (#7), filed on August 30, 2012 and the Stipulation to Vacate Initial Appearance and Disposition on Revocation Proceedings (#22), filed on October 3, 2012.

The Petition for Action on Conditions of Pretrial Release (#7) alleges that Defendant violated the conditions of his pretrial release by (1) failing to report to the halfway house as directed on August 27, 2012, (2) providing a urine sample on August 28, 2012 which tested positive for the presence of Cocaine, and (3) failing to return to the halfway house on August 30, 2012 as directed.

The Stipulation to Vacate Initial Appearance and Disposition on Revocation Proceedings (#22) states that Defendant was arrested on a new state charge after he absconded from the halfway house and that as a result he has been detained at the Clark County Detention Center. On September 5, 2012, a federal indictment was filed against the Defendant this case. The Defendant appeared in federal court on September 25, 2012 pursuant to a writ of habeas corpus ad prosequendum at which time he was arraigned on the indictment and entered a not-guilty plea. The Defendant conceded detention at that time and the Court ordered that Defendant be detained at that time. The parties therefor stipulate that the petition to revoke Defendant's pretrial release is moot.

The Stipulation to Vacate Initial Appearance and Disposition on Revocation Proceedings (#22) further states as follows:

6. Mr. D'Ambrogi understands and admits the violations contained in the Pretrial Services Petition. He seeks to admit the allegations in the Petition in absentia. Additionally, given that he is already detained in state court and on the Indictment in this case, Mr. D'Ambrogi will also concede that this court's prior release order be revoked.

7. Accordingly, the parties request that the Initial Appearance and Disposition on Revocation Proceedings be vacated. The parties further request that an order be entered revoking Mr. D'Ambrogi's pretrial release and that he be detained.

Based on the foregoing:

IT IS HEREBY ORDERED that Defendant's pretrial release granted on August 27, 2012 is hereby **revoked** and Defendant shall continue to be detained pending trial pursuant to the Order of Detention (#21) entered on September 25, 2012.

DATED this 4th day of October, 2012.

George Foley Jr.
GEORGE FOLEY, JR.
United States Magistrate Judge